

ORDINANCE NO. _____

1 AN ORDINANCE amending Chapter 9.44 of the Lincoln Municipal Code
2 relating to Fireworks by amending Section 9.44.030 to add a reference to Section 9.44.080; and
3 amending Section 9.44.080 to limit the hours of sale of permissible fireworks to correspond with
4 the hours when permissible fireworks may be used, and to expressly define the hours and days
5 when permissible fireworks may be discharged, exploded, or used; and repealing Sections
6 9.44.030 and 9.44.080 of the Lincoln Municipal Code as hitherto existing.

7 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

8 Section 1. That Section 9.44.030 of the Lincoln Municipal Code be amended to read as
9 follows:

10 **9.44.030 Fireworks; Unlawful Acts; Enumerated.**

11 Except as provided in Sections 9.44.080 and 9.44.090, it shall be unlawful for any person
12 to possess, sell, offer for sale, bring into the city, or discharge, explode or use any pyrotechnics,
13 commonly known as fireworks, other than permissible fireworks, except that this section shall
14 not be construed to prohibit the transport of fireworks through the city. It shall be unlawful for
15 any retailer to sell fireworks to any person under the age of eighteen years, and no person under
16 the age of eighteen shall discharge, explode, or use any fireworks except under the supervision
17 of a person eighteen years of age or older.

18 Section 2. That Section 9.44.080 of the Lincoln Municipal Code be amended to
19 read as follows:

1 **9.44.080 Permissible Fireworks; Sale and Use Only ~~From on July 3 Through and~~**
2 **~~Including July 4; Hours of Use Restricted.~~**

3 (a) ~~It shall be unlawful for any person to sell Permissible fireworks may be sold at~~
4 ~~retail or offered for sale to sell~~ at retail any permissible fireworks within the City of Lincoln
5 ~~except only~~ from 8:00 a.m. to 11:00 p.m. on July 3 ~~through and including 11:59 p.m. and from~~
6 8:00 a.m. to 11:59 p.m. on July 4 of each year.

7 (b) It shall be unlawful for any person to discharge, explode, or use any permissible
8 ~~fireworks on said dates before~~ within the City of Lincoln except from 8:00 a.m. and after to
9 11:00 p.m.; on July 3 ~~except on July 4 when permissible fireworks may be lawfully discharged;~~
10 ~~exploded, or used between the hours of and from 8:00 a.m. and 12:00 midnight to 11:59 p.m. on~~
11 July 4 of each year.

12 Section 3. That Sections 9.44.030 and 9.44.080 of the Lincoln Municipal Code as
13 hitherto existing be and the same are hereby repealed.

14 Section 4. That this ordinance shall take effect and be in force from and after its
15 passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2005.

Mayor